

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT FENNELL,

Plaintiff,

v.

SECRETARY JOHN E. WETZEL, *et al.*,

Defendants.

No. 4:21-CV-01717

(Chief Judge Brann)

ORDER

AND NOW, this 1st day of February 2023, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Defendants' motion to dismiss (Doc. 48) pursuant to Federal Rule of Civil Procedure 12(b)(6) is **GRANTED**.
2. Plaintiff's amended complaint (Doc. 47) is **DISMISSED** for the reasons provided in the accompanying Memorandum.
3. No further leave to amend will be granted.
4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge